

**REMARKS**

In the Office Action mailed October 18, 2007, the Examiner required restriction to one of the following inventions:

Group I, claims 1-6, 9-12, 22, 23, 25, and 26 drawn to soybean seeds exhibiting altered oil compositions and soybean plants that produce such seeds and nucleic acids capable of suppressing expression of FAD2, FAD3, or FATB genes and increasing expression of beta-ketoacyl-ACP synthase I, beta-ketoacyl-ACP synthase IV or delta-9-desaturase genes. If this group is selected, there is an additional election of species requirement.

Group II, claims 7 and 13-21, drawn to soybean oil with increased oleic acid content and reduced saturated and polyunsaturated fatty acid content.

Group III, claim 8, drawn to a soybean meal.

Group IV, claim 24, drawn to feedstock.

Group V, claims 31-38, drawn to a method of altering the oil composition of a plant or plant cell or seed.

Group VI, claims 27-30, drawn to a transformed plant comprising a recombinant nucleic acid capable of suppressing expression of FAD2, FAD3, or FATB genes and increasing expression of beta-ketoacyl-ACP synthase I, beta-ketoacyl-ACP synthase, IV or delta-9-desaturase genes. If this group is selected, there is an additional election of species requirement.

Group VII, claims 39-72, drawn to recombinant nucleic acid molecules capable of suppressing expression of FAD2, FAD3, or FATB genes and increasing expression of beta-ketoacyl-ACP synthase I, beta-ketoacyl-ACP synthase IV or delta-9-desaturase genes. If this group is selected, there is an additional election of species requirement.

The species within Groups I, VI and VII are as follows:

- A) suppression of expression of FAD2 and increase in expression of beta-ketoacyl-ACP synthase I.
- B) suppression of expression of FAD2 and increase in expression of beta-ketoacyl-ACP synthase IV.
- C) suppression of expression of FAD2 and increase in expression of delta-9-desaturase.
- D) suppression of expression of FAD3 and increase in expression of beta-ketoacyl-ACP synthase I.
- E) suppression of expression of FAD3 and increase in expression of beta-ketoacyl-ACP synthase IV.
- F) suppression of expression of FAD3 and increase in expression of delta-9-desaturase.
- G) suppression of expression of FATB and increase in expression of beta-ketoacyl-ACP synthase I.
- H) suppression of expression of FATB and increase in expression of beta-ketoacyl-ACP synthase IV.
- I) suppression of expression of FATB and increase in expression of delta-9-desaturase.

Applicants elect without traverse the subject matter of Group I: Claims 1-6, 9-12, 22, 23, 25, and 26, drawn to soybean seeds exhibiting altered oil compositions and soybean plants that produce such seeds and nucleic acids capable of suppressing expression of FAD2, FAD3, or FATB genes and increasing expression of beta-ketoacyl-ACP synthase I, beta-ketoacyl-ACP synthase IV or delta-9-desaturase genes, for further prosecution. Applicants further provisionally elect Species B within Group I, drawn to suppression of expression of FAD2 and increase in expression of beta-ketoacyl-ACP synthase IV. Consistent with MPEP § 809.02(a), Applicants note that “[u]pon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141.” Applicants further note

that the Office has included Claims 39-72, drawn to recombinant nucleic acid molecules, in both Groups I and VII. Since the Office has characterized Group I as being drawn to soybean seeds, Applicants have withdrawn Claims 39-72 as allegedly being drawn to a different restriction group. Claims 7-8 and 13-21, 24, and 27-72 are hereby withdrawn without prejudice or disclaimer to the subject matter disclosed therein. Applicants specifically reserve the right to prosecute the non-elected inventions in divisional applications.

## **CONCLUSION**

In view of the above, each of the presently pending claims is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. The Examiner is encouraged to contact the undersigned at (202) 942-5186 should any additional information be necessary for allowance.

Respectfully submitted,

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